

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE JOSEPH P. LAVERY,  
Plaintiff,

Case No. [16-cv-2331-TEH](#)

ORDER OF DISMISSAL

Dkt. No. 5

This case was opened when Plaintiff wrote a letter to the Court regarding prison conditions. In an effort to protect his rights, it was filed as a new case. Plaintiff was informed that he had not filed a complaint and was given twenty-eight days to do so. He also was sent a notice that he had not paid the filing fee or applied for leave to proceed in forma pauperis ("IFP"); again, he was allowed twenty-eight days to either pay the fee or file the application. A copy of the Court's form for applications to proceed IFP was provided with the notice, along with a return envelope.

Plaintiff has filed a motion to appoint counsel but has not filed a complaint or IFP application. This case is therefore DISMISSED without prejudice. The motion to appoint counsel (Docket No. 5) is DENIED. No fee is due.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2

3

4

5

6